

Bill no.:	HR 3893
Amendment no.:	H.R.C. 34
Date offered:	9/28/05
Disposition:	Agreed to by WV

AMENDMENT TO H.R. 3893**OFFERED BY MR. WYNN OF MARYLAND**

At the end of the bill, add the following new title:

1 **TITLE VI—COMMISSION FOR**
2 **THE DEPLOYMENT OF THE**
3 **HYDROGEN ECONOMY**

4 **SEC. 601. ESTABLISHMENT.**

5 There is established a commission to be known as the
6 “Commission for the Deployment of the Hydrogen Econ-
7 omy” (in this title referred to as the “Commission”).

8 **SEC. 602. DUTIES OF COMMISSION.**

9 The Commission shall develop a strategic plan that
10 identifies the best methods available to marshal the re-
11 sources of the Federal Government, State governments,
12 local governments, the private sector, and academia to
13 achieve the mass commercialization of hydrogen as an en-
14 ergy source for stationary fuel cells and vehicle fuel cells
15 at the soonest possible date. Such plan shall take into ac-
16 count actions previously taken by the Federal Govern-
17 ment, State governments, local governments, the private
18 sector, and academia. The Commission shall also examine
19 ways to ensure that the United States can use all available
20 feedstocks for hydrogen production, and shall make rec-



1 ommendations for an appropriate entity to monitor ongoing progress in implementing the strategic plan.

3 **SEC. 603. MEMBERSHIP.**

4 (a) NUMBER AND APPOINTMENT.—The Commission shall be composed of 8 members appointed as follows:

6 (1) 2 members appointed by the Speaker of the House of Representatives.

8 (2) 2 members appointed by the minority leader of the House of Representatives.

10 (3) 2 members appointed by the majority leader of the Senate.

12 (4) 2 members appointed by the minority leader of the Senate.

14 (b) QUALIFICATIONS.—Individuals appointed under subsection (a) shall have at least 5 years of professional-level experience in science, technology, engineering, or public policy. The appointing officials shall coordinate their appointments so as to ensure that the Commission has a diverse range of such experience.

20 (c) APPOINTMENT DATE.—Appointments under subsection (a) shall be made not later than 2 months after the date of enactment of this Act.

23 (d) VACANCIES.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.



1 (e) BASIC PAY.—

2 (1) RATES OF PAY.—Members shall each be
3 paid at a rate not to exceed the daily rate of basic
4 pay for level V of the Executive Schedule for each
5 day (including travel time) during which they are en-
6 gaged in the actual performance of duties vested in
7 the Commission.

8 (2) PROHIBITION OF COMPENSATION OF FED-
9 ERAL EMPLOYEES.—Members of the Commission
10 who are full-time officers or employees of the United
11 States may not receive additional pay, allowances, or
12 benefits by reason of their service on the Commis-
13 sion.

14 (f) TRAVEL EXPENSES.—Each member shall receive
15 travel expenses, including per diem in lieu of subsistence,
16 in accordance with applicable provisions under subchapter
17 I of chapter 57 of title 5, United States Code.

18 (g) QUORUM.—Five members of the Commission
19 shall constitute a quorum but a lesser number may hold
20 hearings.

21 (h) CHAIRPERSON; VICE CHAIRPERSON.—The Chair-
22 person and Vice Chairperson of the Commission shall be
23 elected by the members. The Vice Chairperson shall be
24 a member of the Commission appointed by an appointing



1 official of a different political party than the official who
2 appointed the Chairperson to the Commission.

3 **SEC. 604. STAFF OF COMMISSION; EXPERTS AND CONSULT-**
4 **ANTS.**

5 (a) STAFF.—Subject to rules prescribed by the Com-
6 mission, the Commission may appoint and fix the pay of
7 personnel as it considers appropriate.

8 (b) APPLICABILITY OF CERTAIN CIVIL SERVICE
9 LAWS.—The staff of the Commission shall be appointed
10 subject to the provisions of title 5, United States Code,
11 governing appointments in the competitive service, and
12 shall be paid in accordance with the provisions of chapter
13 51 and subchapter III of chapter 53 of that title relating
14 to classification and General Schedule pay rates.

15 (c) EXPERTS AND CONSULTANTS.—The Commission
16 may procure temporary and intermittent services under
17 section 3109(b) of title 5, United States Code.

18 (d) STAFF OF FEDERAL AGENCIES.—Upon request
19 of the Commission, the head of any Federal department
20 or agency may detail, on a reimbursable basis, any of the
21 personnel of that department or agency to the Commission
22 to assist it in carrying out its duties under this title.

23 **SEC. 605. POWERS OF COMMISSION.**

24 (a) HEARINGS AND SESSIONS.—The Commission
25 may, for the purpose of carrying out this title, hold hear-



1 ings, sit and act at times and places, take testimony, and
2 receive evidence as the Commission considers appropriate.
3 The Commission may administer oaths or affirmations to
4 witnesses appearing before it.

5 (b) POWERS OF MEMBERS AND AGENTS.—Any mem-
6 ber or agent of the Commission may, if authorized by the
7 Commission, take any action which the Commission is au-
8 thorized to take by this section.

9 (c) OBTAINING OFFICIAL DATA.—The Commission
10 may secure directly from any department or agency of the
11 United States information necessary to enable it to carry
12 out this title. Upon request of the Chairperson or Vice
13 Chairperson of the Commission, the head of that depart-
14 ment or agency shall furnish that information to the Com-
15 mission.

16 (d) MAILS.—The Commission may use the United
17 States mails in the same manner and under the same con-
18 ditions as other departments and agencies of the United
19 States.

20 (e) ADMINISTRATIVE SUPPORT SERVICES.—Upon
21 the request of the Commission, the Administrator of Gen-
22 eral Services shall provide to the Commission, on a reim-
23 bursable basis, the administrative support services nec-
24 essary for the Commission to carry out its responsibilities
25 under this title.



1 (f) SUBPOENA POWER.—

2 (1) IN GENERAL.—The Commission may issue
3 subpoenas requiring the attendance and testimony of
4 witnesses and the production of any evidence relat-
5 ing to any matter under investigation by the Com-
6 mission. The attendance of witnesses and the pro-
7 duction of evidence may be required from any place
8 within the United States at any designated place of
9 hearing within the United States.

10 (2) FAILURE TO OBEY A SUBPOENA.—If a per-
11 son refuses to obey a subpoena issued under para-
12 graph (1), the Commission may apply to a United
13 States district court for an order requiring that per-
14 son to appear before the Commission to give testi-
15 mony, produce evidence, or both, relating to the
16 matter under investigation. The application may be
17 made within the judicial district where the hearing
18 is conducted or where that person is found, resides,
19 or transacts business. Any failure to obey the order
20 of the court may be punished by the court as civil
21 contempt.

22 (3) SERVICE OF SUBPOENAS.—The subpoenas
23 of the Commission shall be served in the manner
24 provided for subpoenas issued by a United States



1 district court under the Federal Rules of Civil Pro-
2 cedure for the United States district courts.

3 (4) SERVICE OF PROCESS.—All process of any
4 court to which application is made under paragraph
5 (2) may be served in the judicial district in which
6 the person required to be served resides or may be
7 found.

8 **SEC. 606. REPORT.**

9 The Commission shall transmit a report to the Con-
10 gress not later than 8 months after the date of enactment
11 of this Act. The report shall contain a detailed statement
12 of the findings and conclusions of the Commission, to-
13 gether with its recommendations for legislation, adminis-
14 trative actions, and such other actions as the Commission
15 considers appropriate.

